

REMARKS

By this Amendment, Applicant has canceled claims 29-38 without prejudice or disclaimer, and added new claims 41-49. No new matter has been added. Claims 1-28 and 39-49 are present in the application and should be examined on the merits.

Applicant affirms the election to prosecute Group I, claims 1-28 and 39-40, and has canceled non-elected claims 29-38 without prejudice or disclaimer. Applicant reserves the right to file one or more applications directed to subject matter contained in canceled claims 29-38.

In the Office Action, claims 1-3, 6, 7, 15, 18, 22, 23, 28, 39, and 40 were rejected under 35 U.S.C. § 102(b) based on Chono et al. (JP 8-50452). Claims 1, 23, and 39 are the only independent claims rejected under § 102(b) based on Chono et al., and Applicant respectfully traverses the claim rejection because the Chono et al. reference fails to disclose all of the subject matter recited in each of Applicant's independent claims 1, 23, and 39.

The M.P.E.P. provides that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." § 2131 (citation omitted).

Applicant's independent claim 1 recites a box including, among other recitations, "a body formed from a blank, wherein the blank comprises a support having a first surface . . . ha[ving] printing thereon, and at least one sheet of non-woven material . . . arranged on the first surface of the support. . . ." The Chono et al. reference does not disclose at least that subject matter recited in Applicant's independent claim 1.

In the Office Action, the rejection statement asserts that the Chono et al. reference discloses "a box comprising a body formed from a blank that is precut with

score lines and folded to form the body (p.4, paragraph 25 of machine translation and Fig. 5),” and that “[t]he blank comprises a support having a first surface and a second surface, wherein the outer surface has printing thereon, and at least one sheet of non-woven material arranged on the outer surface by adhesive, in which the non-woven material is partially transparent so that the printing on the support is visible through the non-woven material.” Office Action at 4.

The rejection statement apparently bases its interpretation of the Chono et al. reference, at least to a large extent, on paragraph [0025] and Fig. 5 of an English language “machine translation” of the Chono et al. reference. Because Applicant finds it extremely difficult to understand the meaning of the machine translation of Chono et al., Applicant has acquired a higher quality English language translation of that reference so that what it discloses is more understandable. (Applicant has filed concurrently herewith an Information Disclosure Statement listing the higher quality translation of Chono et al.)

In light of the English language translation of Chono et al., Applicant respectfully disagrees with the Office Action’s apparent assertion that the Chono et al. reference discloses all of the subject matter recited in Applicant’s independent claim 1. For example, the Chono et al. reference does not disclose a box including, among other recitations, “a body formed from a blank, wherein the blank comprises a support having a first surface . . . ha[ving] printing thereon, and at least one sheet of non-woven material . . . arranged on the first surface of the support. . . .” On the contrary, the Chono et al. reference discloses applying a label to a pre-formed box rather than a

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

blank including a support having a first surface with printing thereon, and at least one sheet of non-woven material arranged on the first surface.

The Chono et al. reference translation, on page 8, paragraph 0011, recites that "[t]he Embodiment of the present invention described above is hereafter described in detail with reference to Drawings." (emphasis added.) It further recites that "[t]he Embodiment of the present invention applies to a label that pastes as a printing base 100 directly onto the packaging container. . . ." (emphasis added.) In other words, the embodiment of the Chono et al. disclosure relates to applying a label to previously formed packaging containers rather than a box including a body formed from a blank having a first surface with printing thereon. As a result, even though page 13, paragraph 25, of the Chono et al. reference translation describes "a packaging container 18 . . . completed by constructing the printing process in a similar manner to the aforementioned Embodiment, and punching and assembling in a prescribed shape after completing the printing," the reasonable interpretation of that disclosure is merely that labels of the Chono et al. embodiment are applied to the packaging container 18 after assembling the packaging container 18 in the prescribed shape shown in Fig. 5. Therefore, the Chono et al. reference does not disclose "a body formed from a blank, wherein the blank comprises a support having a first surface . . . ha[ving] printing thereon, and at least one sheet of non-woven material . . . arranged on the first surface of the support. . . ." Consequently, the Chono et al. reference does not disclose all of the subject matter recited in Applicant's independent claim 1. Claim 1 should thus be allowable.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Independent Claim 23

Applicant's independent claim 23 recites a box including, among other recitations, "a body formed by folding a blank, wherein the blank comprises a support having a first surface . . . ha[ving] printing thereon . . . and at least one sheet of non-woven material . . . arranged on the first surface of the support. . . ." The Chono et al. reference does not disclose at least that subject matter recited in Applicant's independent claim 23 for reasons at least similar to those outlined above with respect to claim 1. Therefore, claim 23 should be allowable.

Independent Claim 39

Applicant's independent claim 39 recites a blank for forming a body of a box, including, among other recitations, "a support having a first surface . . . ha[ving] printing thereon, and at least one sheet of non-woven material . . . arranged on the first surface of the support. . . ." The Chono et al. reference does not disclose at least that subject matter recited in Applicant's independent claim 39 for reasons at least similar to those outlined above with respect to claim 1. Therefore, claim 39 should be allowable.

Dependent Claims 2-22, 24-28, and 40

Claims 2, 3, 6, 7, 15, 18, 22, 28, and 40 depend from one of independent claims 1, 23, and 39 and should therefore be allowable for at least the same reasons the claims from which they depend are allowable.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

In the Office Action, claims 4, 5, 8-14, 16, 17, 19-21, and 24-27 were rejected under 35 U.S.C. § 103(a) based on Chono et al., either alone or in combination with Ovadia et al. (U.S. Patent No. 4,767,000). Since each of those claims depends from one of the above-mentioned independent claims, those dependent claims should be allowable for at least the same reasons as their corresponding independent claims.

New Independent Claims

By this Amendment, Applicant has submitted new independent claims 41-44, 46, and 48. Chono et al. does not disclose or suggest all of the subject matter recited in any of Applicant's newly submitted claims. Therefore, those claims should be allowable, as will be explained in more detail below.

New Independent Claim 41

New independent claim 41 recites a box including, among other things, a body formed from a blank that includes "a support having a first surface and a second surface, wherein at least the first surface has printing thereon, and . . . the second surface of the support is substantially free from any adhesive." The Chono et al. reference does not disclose or suggest at least that subject matter recited in claim 41. Therefore, new claim 41 should be allowable.

New Independent Claim 42

New independent claim 42 recites a box including, among other things, a body formed by folding a blank that includes "a support having a first surface and a second

surface, wherein at least the first surface has printing thereon and . . . the second surface of the support is substantially free from any adhesive.” For reasons similar to those outlined above with respect to claim 41, Chono et al. does not disclose or suggest at least that subject matter recited in new claim 42. Therefore, claim 42 should be allowable.

New Independent Claim 43

New independent claim 43 recites a blank including, among other things, “a support having a first surface and a second surface, wherein at least the first surface has printing thereon and . . . the second surface of the support is substantially free from any adhesive.” For reasons similar to those outlined above with respect to claim 41, Chono et al. does not disclose or suggest at least that subject matter recited in claim 43. Therefore, new claim 43 should be allowable.

New Independent Claim 44

New independent claim 44 recites a box including, among other things, a body formed from a blank that includes “a support having a first surface and a second surface, . . . and a first sheet of non-woven material arranged on the first surface of the support and a second sheet of non-woven material arranged on the second surface of the support. . . .” The Chono et al. reference does not disclose or suggest at least that subject matter recited in new claim 44. Therefore, new claim 44 should be allowable.

New Independent Claim 46

New independent claim 46 recites a box including, among other things, a body formed by folding a blank that includes “a support having a first surface and a second surface, . . . and a first sheet of non-woven material arranged on the first surface of the support and a second sheet of non-woven material arranged on the second surface of the support. . . .” For reasons at least similar to those outlined above with respect to new claim 44, Chono et al. does not disclose or suggest at least that subject matter recited in claim 46. Therefore, new claim 46 should be allowable.

New Independent Claim 48

New independent claim 48 recites a blank including, among other things, “a support having a first surface and a second surface . . . ; and a first sheet of non-woven material arranged on the first surface of the support and a second sheet of non-woven material arranged on the second surface of the support. . . .” For reasons at least similar to those outlined above with respect to new claim 44, Chono et al. does not disclose or suggest at least that subject matter recited in claim 48. Therefore, new claim 48 should be allowable.

Conclusion

For at least the reasons set forth above, independent claims 1, 23, 39, 41-44, 46, and 48 should be allowable. Dependent claims 2-22, 24-28, 40, 45, 47, and 49 depend from one of those independent claims. Consequently, those dependent claims should

be allowable for at least the same reasons their corresponding independent claims are allowable.

Therefore, Applicant respectfully requests the reconsideration of this application, the withdrawal of the outstanding claim rejections, and the allowance of claims 1-28 and 39-49.

If the Examiner believes that a telephone conversation might advance prosecution, the Examiner is cordially invited to call Applicant's undersigned representative at 571-203-2739.


Applicant respectfully notes that the Office Action contains numerous assertions concerning the related art and the claims. Regardless of whether those assertions are addressed specifically herein, Applicant respectfully declines to automatically subscribe to them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 6-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 
Christopher T. Kent
Reg. No. 48,216

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com